

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF ALABAMA

IN RE: ) CHAPTER 13  
ERIC PHILLIPS )  
ROBYNE PHILLIPS ) CASE NO. 16-30561-DHW-13  
Debtor(s). )

OBJECTION TO CONFIRMATION

Now comes GUARDIAN CREDIT UNION, by its attorneys, Chambless Math ❖ Carr, P.C., and objects to confirmation of the Debtor's proposed plan and in support thereof states as follows:

1. This creditor has filed Court Claim #5 in the amount of \$20,762.50 which is secured by one 2011 CHEVROLET SILVERADO, Court Claim #6 in the amount of \$17,788.08 which is secured by one 2011 GMC ACADIA, and Court Claim #7 in the amount of \$1,097.68 which is secured by the equity in both vehicles.

2. The collateral securing the debts of the creditor is grossly undervalued and/or the specified monthly payment is insufficient to provide this creditor with adequate protection against depreciation of its interest over the term of the plan. The plan proposes to value the 2011 CHEVROLET SILVERADO at \$17,875.00 whereas the NADA retail value is \$21,150.00.

3. The plan fails to provide for the secured claim of this creditor as required by 11 U.S.C. Section 1325(a)(5). The plan fails to make a secured provision for Court Claim #7 although there is more than enough equity to fully secure said claim.

WHEREFORE, GUARDIAN CREDIT UNION, prays for an Order denying confirmation along with such further relief as the Court may deem proper.

GUARDIAN CREDIT UNION

By: /s/ Leonard N. Math

Of Counsel:

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CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing instrument was served on all attorneys of record as set forth below by electronic notice and/or depositing a copy thereof in the United States mail postage prepaid on this April 27, 2016.

Curtis C. Reding

Chapter 13 Trustee

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/s/ Leonard N. Math